

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**SCOTT DAMON RICHARDSON**  
**Plaintiff,**

**v.**

**MOTTERAM #2345**  
**Defendant.**

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**Civil Action No. 3:17-CV-2746-M**

**ORDER ACCEPTING THE FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

United States Magistrate Judge Renée Harris Toliver made Findings, Conclusions and a Recommendation in this case. No objections were filed. The Court reviewed the proposed Findings, Conclusions and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions and Recommendation of the United States Magistrate Judge. Plaintiff's Motion to Remand, Doc. 7, is DENIED; Defendant's Motion to Dismiss for Failure to State a Claim, Doc. 6, is GRANTED and all of Plaintiff's claims are DISMISSED WITH PREJUDICE; Plaintiff's First Amended Complaint, Doc. 11, is construed as a motion for leave to amend complaint and DENIED AS FUTILE; and Defendant's Motion to Dismiss and Motion for the Court's Abstention and Dismissal, Doc. 12, are DENIED AS MOOT.

**SO ORDERED** this 11th day of July, 2018.

  
**BARBARA M. G. LYNN**  
**CHIEF JUDGE**